CITY ITEMS.

The weather yesterday was again clear and cold, and at night the sharp northerly breeze was decidedly uncomfortable. The streets are froz-n hard, and there is considerable floating ice in the rivers.

HISTORICAL SOCIETY .- David Paul Brown will lecture this evening before the Historical Society on Shakespeare's Birthplace."

Burns - An unusual number of "Burns' Festivals" come off on Tuesday night. This (Monday) evening Henry Ward Beecher lectures on "Burns," at the Cooper Institute. Meanwails the building in waich Burns was born remains the lowest sort of an als house, where vile liquors are dispensed, and bestial orgies are the nightly pastime.

CITY MORTALITY .- According to the report of the City Inspector there were 411 deaths in the city during the past week-an increase of 45 as compared with the mortality of the week previous, and 12 less than occurred during the corresponding week of 1858. The increase of deaths this week appears to be due to the greater prevalence of diseases of the brain and nerves, and also to a greater disposition to contract affections of the throat and lungs. Complaints of the stomach and bowels show a trifling increase this week over last, but are not so prevalent as they have been lately. The mortality among children seems to have been very great, as out of 411 deaths reported by the Inspector 222 (or more than half) were of children five years old and under. The following table shows the number of deaths for the past two weeks among adults and children, distinguishing the sexes:

Men. Women. Boys. Girls. Total.

Week ending Jan. 15... 61 88 118 99 5000

Week ending Jan. 22.... 91 33 124 113 411

Among the principal causes of death were the fol-Lowing: Bronchitis, 7; consumption, 58; convulsions (infantile), 41; dropsy in the head, 19; inflammation of the bowels, 4; inflammation of the lungs, 30; inflammation of the brain, 10; marasmus (infantile),

10; scarlet fever, 12.

There were 3 deaths of apoplexy, 7 of bronchitis, 6 of cancers, 12 of congestion of the brain, 15 of croup, 4 of debility (infantile), 3 of del rium tremens, 2 of epitepsy, 3 of crysipelas. 6 of disease of the heart, 8 of intempersace, I each of fainting and exposure, 5 of typhus fever, 2 of typhoid fever, 8 of whooping sough, 1 of teething, 11 premature births, 28 still-born, and 11 from violent causes, including 1 murder and 2 from barns and scales. The annexed figures show what portions of the human system have been most affected: bones, joints, &c., 3; brain and nerves, 102; generative organs, 7; heart and blood vessels, 18; lungs, throat, &c., 128; old age, 5; skin, &c., and eraptive fevers, 17; still-born and premature births, 39; stomach, bowels and other digestive organs, 43; uncertain seat and general fevers, 39; n/inary organs, 1; unknown, 9. Total-411.

The number of deaths, compared with the correaponding weeks in 1857 and 1858, was as follows:
Week ending Jan. 24, 1957
Week ending Jan. 25, 1954
Week ending Jan. 12, 1954
Week ending Jan. 15, 1859
Week ending Jan. 12, 1859

Week ending Jan. 22, 1859

Week ending Jan. 25, 1859

Week ending Jan. 25, 1859

The nativity table gives 279 natives of the United

States, 86 of Ireland, 24 of Germany, 5 of England, 8 of British North America, 5 of Scotland, 1 each of France, Italy and Wales, and I unknown.

BROOKLYN STREET ANNOYANCES,-We are assured that the Brooklyn Police would very gladly arrest the young ruffians who are constantly annoying the quiet residents, and also clear the streets of all the noisy peddlers, if they were sustained by the higher authorities. The Brooklyn Common Council have neglected to pass stringent ordinances against the bellowing of the oystermen, brewer's year tmen (who are constantly telling the people to ' wake up"), the tinmen, and other shrickers, wno perpetually ful the cars of the inbabitants with discord; and the magistrates will not adjudge them guilty of any disorder. The police deem it disorderly conduct in young gentlemen who may feel merry enough to sieg through the streets at night, because it is presumed they have been indulging a little; yet, a peddler may, as late as 10 or 11 o'clock at night, distract the head of a person sick almost to death, fighten scores of children from their pullow, with his percing cries, but he must not be interfered with.

The Police Magnetrates of Brooklyn, from what we on learn, are far more remiss in their duty than their bethren of New-York. The Police complain that met of the offenders they arrest are discharged," and inmediately return to their vices. The street ruffishs have consequently become so bold that they treat the Police with contempt, was defy their interference. It haot long since one of the Brooklyn Magistrates had a Policeman inducted for arresting a rowdy in the act of committing and assault and battery. The Police laving no encouragement from the Magistrates, threfere deterred half the time from making neces-

THE STEPHENS WIFE MURDER -The case of Jas. Stephens, who was indicted for poisoning his wife, So pha Stephene, is set down for trial to-day in the Court of Oyer and Terminer, before Judge Davies. An addional panel of 500 jarors has been ordered to serve both at Circuit, and Oyer and Terminer.

We are authorized to say toat a paragraph in the city papers stating that the body of a child brought by the Hudson River Railroad, on its way for interment in a box with a label upon it, not indicating the contents, is wholly and absolutely false; and we have received the best possible proof of its incorrectness, and we believe that every possible care was taken of the remains.

The Petit Jury of the January term, Court of Sestions, have presented a ring to Assistant District Atterney Sedgwick, for his efficacy as an officer.

The steamship Glasgow sailed on Saturday for Glasgow with 19 cabin and 89 steerage passengers.

FIVE POINTS' House or INDUSTRY .- In our edition of Friday it was stated that during the past mouth 5,500 meals led been given at a cost of \$137.50. This is an error. It should have been for the last week. During the month the Inlitation has given 26,773 meals, at a cost of about \$445 IS. It true that they are short of funds. For, beside the expense is the House, they feed partially thirty or forty families outside forations in aid of the Institution.

A CURIOUS CHAPTER OF CHEATERY .- We have heard and read a great deal about the paltry knaveries of New-York, but a case which came before the Mayor set Saturday surpasses, in the confiding stupidity of be victim and the adronness of his swindlers, anything of the kind that we can remember. About noon a tery verdant-looking, middle-sged man was brought ato the Mayor's office by Deputy-Sheriff Bernard Reilly, and, as his Honor was engaged in his private Num, the stranger sat down near the door till his case could be heard. He was coursely dressed, his ample blue oversalls being tucked into great cowhide boots, and ever and anon he wijed his eyes with a faded cot-ten pocket-handkerchief.

The man evidently had no more wit than sufficed

man evidently had no more wit than sufficed Deman evidently had no more wit than samed for the most ordinary purposes of life, and he seemed where just stepped out of a neighborhood where latic simplicity is not often called upon to contend whice six cut throats. Under ordinary circumstances the deliness of the man would have secured him whist reporterial inquisitiveness, but there was a mething so pathetic, so helplessly downcast is his speciate, as he sat there slowly morping up the big lar which coursed down his careworn face, that we shall not help asking him what was the matter. He spind by telling a long, rambling, and shoot inco-lant story, from which we condense the following largiful.

short story, from which we condense the following timelye:

School Foright, a farm laborer, from East Meriden, Manroe control of the state of the st

gratd-annt Bridget; that they were acquainted with the same propie and places; and, in short, Michael was deladed into the belief that his host was an honest kinsman and one of his best friends. As may be supposed, he soon confided to him his history, the fathent of his means, whither he was bound, and the filial etject of his mission. In the course of Michael's confidential discourses to Eurigh', he informed him of the fact that's judament for \$43 was constanting against him in Monroe County; the the last appealed, and that he expected to return before the appeal was decided. At the same time he enjoined him to keep the matter perfectly quiet, or else the Sheriff would be atten him. Of nourse Mr. Luright would not bettay life not filence; the hare suspicious wounded his feelings. At the same, time he instinuated that he knew everytoody in the shapping humners, and possessed experior faculties for evading his relative home in a comfortable way at a triffing expense, and my that he had better he carried, as New Yorker, were not over considerate in their denings with strangers. Michael hope do be would see him sefs through, and Euright crommed that he had better he carried, as New Yorker, were not over considerate in their denings with strangers. Michael had he had be the home in a Comfortable way at a triffing expense, and had helped to be soon to be seen to change which while a Surday. The country as we had a third-class these than the him of the him which saided on Saturday. The country as we had a third-class the to the face how induced him to pay second cabin fare, by billying and tinking his value on the seemer to languar. Which saided on Saturday. The country as no straight for thinking of it. On Saturday, the poor fellow went for his means would go hear to the od country his such poor style. The timest was delivered in a seased envelope, with a special caution not to open it until the again on the atsent required it of him. Mr. Eurich then persuaded Michael to deposit the balance of his money with Solover denship. Michael thought it was not likely that a kinsman and namesake weals cheat him, and therefore policied the gold. At He .m. just should as he was to go to the science, a man wro called himself Jennes Kelly, and who said he had a warrant from the Secilif of Mucrae County, entered Enright's place and teck Michael into custory. The poor fellow was bewildered, but his captor produced what purported to be a warrant, and Etright's betweeper told him he was a fool if he did not comprishe by satisfying the judgment. After a good deal of hesitation on his part, and blusser from Kelly and the harkeeper, he purchased its release by paying the sum of \$3.5. Congratilating nice sell upon his seasure, he went to the decames, where, to his utter among them, he was met by a gounder Sheriff's Deputs, in

An efficer was sent to recover Enright's money; with what success we are unable to say.

A House THIEF.-Late on Saturday afternoon a A House Thier.—Late on Saturday afternoon a woman, named Emma Goodman (or Goodnow), obtained admission by some means or other, to the dwelling noise occupied by Mrs. Taylor, at No. 49 Sixth avenue, and making her way to the room of Miss Margaret Growley, stole therefrom jewerry, and other variables to the amount of \$60\$. The thief made two visits to the house. The first time she brought away her plunder unobserved, but the second time Mrs. Taylor met her on the stairs, and asked her what she way doing there. The intruder gave very unsatisfactory replies, and Mrs. Taylor detained her until the arrival of Officer Christopher of the Ninth Precinct. Emma way taken in custody, and, on compisite of Mis Crowley, commit ed to prison, by Justice Kelly, in default of \$2,000 hail. The stolen property was secreted in the yard of a femerent house in Correlia street, where it was found by the officer, and restored to its owner.

CHARGED WITH SMUGGLING JEWELRY,—Detective Offices Stowey and Kina, on Satorday morning arrested one Wm. Esnes, charged withsmostling a quantity of watches. It is alleged that Esnes preferred complaint against a friend of his named James McIntosh, charging him with scaling ## in mency. McIntosh retaliated by telling the officers that during the nat worth Eanes arrived in this city from England, per steamer Washington, and that he brought with him fift-en silver watches valued at ##0 each, and thirty watch movements, valued allegether at #50°. In order to escape paying duty, Eanes obviance the assistance of his friend, McIntosh, and the teo stuffed the progerty in their boot legs, and thus brought is sabore. Eanes ascertaining that his quondam friend had infinitely down him, nonflected a device to withdraw the charge and renew his friendship. McIntosh could not be won so easily, and in turn, charged Eanes with soughing Eanes was accreated, and a portion of the property found in his trunk, at Clark's Hotel corner of Jay and Washington streets, the re-unincer having been taken to Brooklyn. Eanes was looked up

SAD CASE OF DESTITUTION.—An American woman, giving her name as Maria Burke, accompanied by a listle girl four years of are, appeared at the Sixth Freeinst Police Station at a nate hour Saturday night and begated the officer on dark to accommodate her with locinings. Both mother and daughter were thinks clad, and were nearly famished with cold. They were seated near the stove, and after becoming somewhat comfortable Miss Burke, with tears in her eyes told Sergeant Petry her and story. She had no house, no friends, no means, and though mortifying to her feelings, she had no other aternative between free run to death in the streets and lodging in a police station, and on account of her Ittle one she had chosen the latter. The nobes kinely cared for them during the right, and vesterday they were removed to the Alim-tions for further relief. Mrs. Surke is a women 25 years of age, intelligent and preposessing in deportment, and has evilently were better days. Serence Petry subsequently accretained that in a momen of despars she had attempted to deatroy not only her own life but that of ret daughter, by the aid of languar M. Saling in that, she jumped overheard with the little girl, but being discovered were rest ned from drowning by some persons near at hand.

SURRENDERED HIMSELF.—About 2 o'clock Saturday morning, James Glass, allowed to have been implicated in the murder of Mr. Richard Owens, at No. 21 Elm street, on the light inst., entered the Sixth Precinct Station-House and gave himself into custody of Capt. Bowling.

ACCIDENTALLY KILLED.-Coroner Schirmer held an inquest on Saturday, at the foot of Chambers street upon the body of James Friendship, a sailor, who, while engaged socil w a sail at the foretop of the ship Rodens, at 30-clock on Saturday morning, accidentally fell to the deck and was instantly ailled. morning, accidentally fell to the deck and was instantly kined. Deceased was about 25 years of age. His place of natisity was not ascertained.

inquest at No. 311 West 27th-st., upon the body of Amanda Saulpeugh, a child 3 years and 8 months old, who died from burns received on Christmas morning, when her clothet caught free while she was rocking in a chist too near the stove. The jury rendered a verdict of "Accidental Death."

HOUSEBEERKING .- Officer Curry of the Nioth Pre-HOUSEBELANING.—Officer Curry of the Ninth Pre-cinct, on Saturday evening, arrested two boxs who gave their names as Franklin Baker and Tromas Chandler, charged with having, some mights are, broken into the premises No 36 Corns-la street, and stoken therefrom a quaetity of tohacco and tobac-co bixes. The accused had been observed giving away some of the troperty which fact comity to the knowledge of Mr. Jarob L. Var sanct be caused their arrest. Justice Kelly committed the boys to prison to awalt trial in default of \$1,000 bail each They effect dan entrance to the premises by drawing a staple from the door.

STABBED .- Yesterday afternoon, an Irish woman STABBED.— Yesterday afternoon, an Irish woman ramed Brieget Kesan had a row with one Edward Gorway, at the residence of the latter No.12 Mulherry street. During the fight, it is alreged that Brieget drew a halfe or other sharp funtument, and struck Edward a heavy blow on the head, near the temple, inflicting an unsightly wound. The templar aftery was completely cut through, and blood flowed profusely. A passician was called, who bound up the wound and sent Gorway to the Heapital for further treatment. Officer Jump of the Sixth Precinct conveyed Bridget to the Tomba, and Justice Oabora camulited their to pricen. The accused denies using a knife, and says sha metery zave bina but of a whack with a saucer. The police say that both parties were intoxicated at the time.

FELONIOUS ASSAULT.-Wm. McKenzie, a wheel-FELONIOUS ASSAUTT. VIII. A DECEMBER A World black mainth, doing business at No. 14 Crosby street, was arrested on Saturday shermoon and committed to prison by Justice Steers, charged with seasiling and cotting one of his workney, named August Zarrig, with a broad-ax.

The same magistrate also committed Mixe McDermot, charged with assaulting with a slung-shot one Thos. Hardings.

ARREST FOR ROBBERY .- Officer Carr of the Sixth Ward or Saturday arrested the inmates of a ville den on the five Points, on a charge of robbing a man named Harris of some money and jewelry. The women were committed for examina-tion.

tion.

Henry Shelbark and Elizabeth Johnson were arrested on Friday evening, by Detactives Slowey and King, charged with attempting to pass counterfet; by bills on Machanics' Bank at a bakery in Elin street. They were detained for

PHRENOLOGY.—Examinations, with charts and written descriptions of character, given daily at the Phreno-legical Cabinet, No. 308 Broadway, two blocks above the Park Private rooms for Gentlemen and Ladies. FOWLER & WELLS-

> [Advertisement ! BRADY'S GALLERIES.

PROTOGRAPHS,

Nos. 205, SO and 645 Broad way, New York, and No. 352 Penn sylvania-av, Washington, D. C.

was to satisfy an indebtedness rightfully due the heirs of the lady's father. The debt has remained unpaid for at least a period of twenty-five years, as the parent of the lady has been dead over twenty years.

LOSSES BY FIRE -The total losses by fire in Newark for the year ending Jan. 1 was \$33,005.

NEW-JERSEY ITEMS.

Explosion of Gas in the Cars .- A young lady residing in New-York City, named Miss Fowler, was slightly it jured on Wednestay last, by the explosion of a gasometer in one of the ears of the 11 o'clock a. m. train on the Now Jersey Railroad from Jersey City for Philacelphia. She was holding a conversation with a party of friends, when suddenly the care were filled with gas. One of the passengers lit a much and opened the meter for the purpose of ascertaining the locality of the leak, when an explosion took piece, filling the locality of fame and probe, said estims for to Miss Fowler's hair, beside burning some of her wearing appared A rentieman, a passenger, was also slightly burned upon the face. The car was damaged to such an extent that it was deemed prudent to leave it

THE TRIAL OF CARTER FOR MANSLAUGHTER. George Carter, the runner indicted for man-laughter in killing John Brusing han, by brutaily beating him, was arraigned before Judge Ogden, in the Hudson County Court of Oyer and Terminer on Saturday. County Court of Over and Arminer on Saturiay. The day was occupied in arguing the jurisdiction of the Court. It will be recollected that the offerse was committed in New York, where Caster beat Brusinshan at the Onio Home, in on necessary of a difficulty arising from sampling. Brusinshan was conveyed to Jersey City, where he died; and upon

ALLYGED PECULATIONS .- There is considerable

LAW INTELLIGENCE.

SUPREME COURT-SPECIAL TERM-JAN. 22.

DIVORCE LAWS OF OTHER STATES.

McGnifert sat. McGnifert.

The complaint in this cause is filed by the wife sairst the defendant, her husband, for a divorce a risculo

The parties being residents of this State were married here The parties being residents of this State were married here on the 12th of September, 1850. They sived together but a few weeks, and thes reparated.

In January, 1851, the defendant filed his complaint against the plaintif, claim in to have the marriage annulled on the alleged ground of the physical incapacity of the plaintif to consummate the marriage. This she denied, in her snawer.

On the 20th of April, 1851, an order was made in that cause, requiring the plaintiff therein to pay Gourt fees and aimony to the defendent in that cause, and the same not having been paid, an order was made in that cause, and the same not having been paid, and order was made in that cause, and the plaintiff therein until paid, and the proceedings on he part of the plaintiff therein until paid, and the proceedings therein have been stayed and suspenced.

nded. in January, 1852, the defendant went to the State of Indiana,

DAVIES, J.-I deem it unnecessary to discuss the many ques-

such proceedings. A precisely similar state of facts is presented in the case now under consideration. The Case-Justice says: "Toe final question is, whether such proceedings in Vernout were not absolutely void. To searchin and give validity and effect to such a divorce, appears to me to be contrary to the first principles of justice. To give any binding effect to a judgment, it is essential that the Court should have jurisdiction of the person and of the subject matter; and the want of jurisdiction is a matter that may always be set up against a judgment when sought to be enforced, or when any benefit is claimed under it the want of jurisdiction makes it uttry void and unavailable for any purpose."

These partions are well sustained by authority and sound reasoning, and I have been unable to find any case where the force of this has been questioned. We have already seen that it was recognized as law in the case of Visches agt. Visches, above referred to, and I feel no hesitation in saying that I am not at liberty to question the bunding force of those authorities. They desiche the precise point presented in this case, holding a decree obtained as this was to be interity void and unavailing for any purpose whatever. It therefore follows that it affords no legal justification, and the other facts necessary to entitle the plaintiff to a civorce, a sinculo being clearly established, I have no choice but to direct a decree for a civorce. A referee may be had to estite the proper aimony to be paid to the plaintiff.

but to direct a decree for a divorce. A referee may be had to settle the proper almony to be paid to the plaintiff.

SUPREME COURT—CHAMBERS—Jac. 22—Before Judge SUPREME COURT—CHAMBERS—Jac. 22—Before Judge SUPREME COURT—CHAMBERS—Jac. 22—Before Judge SUPREMEAND.

THE WAR OF THE SCHOOLMISTRESSES.

The People ex rel. Laura H. Gillers leeve ag. John W. Boyce.

Miss Gildersleeve claims that she is entitled to the office of Principal of the Primary Department of Ward School No. 37, in the Twelfth Ward, under an appointment made in January. 1876. But it appears that Miss Elizabeth Enalss has been exercising the functions of that office, at a salary of \$ 160 per year, since last August, under an appointment by the local Board of School Officers. For the purpose of testing her claim, Miss Gildersleeve recently used out a writ of alternative mandamus, returnable to-day, to compet the respondent, Mr. John W. Boyce, who is Principal of the Male Department of the ethod; in question, and whose duty it is to make up the pay-rolls for said school, to insect her (Miss Gildersleeve's) name in the past-rolls for the months of September, October, November and December last past, which he has heretofore refused to do.

The return to the writ by Mr. Boyce was filed to day. He state in it that Miss Gildersleeve is not entitled to the rolls demanded, as she was in oved by order of the local Board of School officers on the 2th of August last and Miss Kuzabeth Elmiss was appointed in her place, of which feets he had been notified by the Board of School officers and Miss Gildersleeve and not acted as teacher in the the school uning the months for which she claimed payment, and in scoolance with the law the local Board of the Board of Education. Mr. Northrup appeared for Miss Gildersleeve and Mr. A. R. Lawrence for Mr. Boyce. A motion was made to quest the writ, which was denied, and the case was then adjourned to Moudey, when a motion for a percentorymandamus will probably te argued.

DECISIONS.

The Hanover Company et al. agt. Horace B. Sheldon et al.—The motion of the defendant, H. B. Sheidon, to va-cate order of arrest denied, with \$10 costs. Edward La Montague agt. Wm. E. Gardner, &c.— Motion granted, with \$7 costs.

Motion gratted, with \$7 costs.

SUPERIOR COURT—JAN. 22.—Before Judge Woodreff.

MARINE INSURANCE.

John S. De Wolf wa The State Montreal Fire Marine Insurance Company of the State of Pennsylvania.

This was an action to recover insurance on the bath Helen on a verying from Cardin in Wales to Savannah and back. The Helen and cargo were wouth some \$125.0%, and were abundance at sea on the return verying. March \$4.1856. Two other companies set up the same defense. The defense was over-valuation and unseaworthiness of one vessel, by reason of being worm-sates, incompetency of the Captain, as he left her through owardine, since the Helen was next by fulled in with by the Westmereland, whose officers thought she could have been taken into Cork: fraud in her abandonment, as her lanyards were could be very and some broundailties as to preliminary proofs of loss. The plaining contended that if a much worm raten as reported by the Westmereland, whe worms must have been at work two years, while they proved her sound at Cardid seven mentile before, that the lanyards might have pasted from a sudden lurch of the vessel, almost a surrothly as if cut, and that the Cartein was an able and honest efficer, and left the bark in a sinating condition to save the lives of those on beard.

The testimony was very conflicting. The Jury brought in a verdict for the plaining for \$4.507.44 the sincount of the policy and interest. For planning, W. Samey and Z. F. Shephard; for defendants W. Moultrie.

SUPERIOR COURT-GENERAL TERM -JAN 22 Before a full seem.—Decisions.

Shabeel A. Daring agt. Daniel Jackson et al.—New trial ordered, costs to solids the evol.

Lowed Holbrooke agt. William Wilson et al.—Judg-

COURT OF COMMON PLEAS-Jan. 20-Before Judge

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[Advertisement.]

TEAS.—THE CANTON TEA COMPANY beve on hand every watery of Teas, for Greers and Tea-Dealers and private families. Souchoung, Ocolous, and Young Hyson from 25c to 60c. I Gunpowder and Imperial from 25c. to 50c. All other qualities equally low. Also, 3.5 b baxes good Familty Tea for \$1. Call and examine at No. 125 Chatham st., between Pear and Roosevell-sta.

[Advertisement.]

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[Advertisement.]

-The Rev. Mr. Sullivan, a Catholic priest, of Charleston, S. C. paid over to a lady of that city on Monday the sum of \$500, re selved through the confessional. He received it from a p-rson who said it was to satisfy an indebtedness rightfully due the heirs was to satisfy an indebtedness rightfully due the heirs second." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." That on or about January 6, 1856, the defendant Bei-Scood." The open of the principal of the scool of

being the principal instrument, and the conveyance and declaration of time; incicental to it.

Tard: That the four premiserery notes set forth in said assignment, bearing date April 2, 1555, made by the defendant
Being to the under of an incilvered to the defendant Menck, at
four, five, and ard even months from date, each for the sum of
\$1.155, alleged to have been given in mayment of merchandies,
and a patent right, sold and delivered by Menck to Reiters, and
the payment of watch notes to Menck is preferred by end assignment, were actually given by Beiter to Menck about the
time and in anticipation of making said assignment upon a pretended purchase by Beiter of Menck of an interest which
Merck held and coursed in a certain patent of a machine called
a water meter, and in a certain patent of a machine called a
paper-dayer, and not upon a purchase of any merchandise
workerser.

That in April 1835 and decinative whole of that year, it was

page-dilyt, and not upon a purchase of any merchanter.

That in April, 1815, and during the whole of that year, it was well known by noth Menck and Beiner that these patents were noterly worthless, and although the transaction appears to have at the forms of resirety, yet it was entirely findition and fraudulent as respects the creations of Beiner, and was constricted for the purpose of securities to Menck the purpose of a facilitious debt represented by the four notes so held by him, and referred to, and preferred in roots a signame at.

Fourth. That after the execution and delivery of the assignment. Menck permitted Beiner to remain in the possession of the household furniture and real estate thus transferred and conveyed, without interference or interruption on the part of Mence.

And upon these facts I do determine that said assignment is And upon these facts to determine that hat assignment fraudulent, and void as scaling the printiff receiver, at, and as against the creditors of Belizer, and that the plaintiff is entitled to judgment, Ac, as demanded in his compaisant, with cooks. That the defendant Menck account under the direction of Woodbridge Hodoon, referre, for all miners and property which have come into his hands under or by virtue of such assignment. C. Bainbridge Smoth for plaintiff; Benefict & Boardman for defendant.

COURT OF GENERAL SESSIONS-SATURDAY, JAN. 22.-

COURT OF GENERAL SESSIONS—SATURDAY, JAN. 22.—
A few unimportant sentences were passed in this Court to-day, which was then a journed for the term.
Will Jours was sent to the Penilectiary for one rest, on a conviction for passing counterfelt money. Genere Kane, for a initiar offense, was remanded to next term for rememor.

John Queever, convicted of functory in the third degree, on account of his previous good character, and at the entreaty of his emploser, was allowed to go on suspension of judgment. Mark Karrigan, convinted of petit larceny, on promise of reformation, was allowed to depart.

John Islame, who pleased guilty to receiving stolen goods, was sent to the Peritentiary for six months.

Applictor Caskmith, the publisher, convicted of an assault and battery on Coughlan, an entraver, was allowed to go on an engineer of judgment, the Judge thinking the assault and battery to be just fisher.

be justifiable.
Parrick King, for an assault and batters, was sent to the Penettary for six months, the Judge thinking the assault not jus-

orgs Bowne, the counterfeiter, was remanded.

ORDERS, BERNAN AND CHACKENSON.

THE LOTTERY CASES.

In the case of The People agt, Wood, Eddy & Co., Justice Quacker bush reddered the following decision, which was concurred in by Justice Breens:

The People agt, Beel, Wood and others.

In the above estitled case the Court are of opinion that the set of 1835 gives to the Court fall power to return to the Court of General devices any cases brought before it for trial, whenever circumstances shall make it appear that such action would conclude so the public weithers. It is the duty of the District-Attorney to appear and prosecute als persons charged with crims, either feronce or middenneasors, and in this case he appears and moves to have the case returned to the General Sessions and urges several reasons; among others want of time in this Count to give the matter the attention its importance demands. and urgs several reasons; among others want of true in this Count to give the matter the attention its importance elemands. And further I am individually of the options that it is not in the prevince of the Court to stop to impaire as to the public prosecutor's motive in making up he motive. presuming that it was made in good fight and for justifiable ends, and do not feel warrantee in dery ung the motion.

The papers are accordingly ordered to the General Sessions in the papers are accordingly ordered.

Justice Osborne then said: I have seen it stated in one of the Justice Otherste then said: I have seen it easied in one of the fally papers that there was an evident desire upon the part of the Court to have this case tried here, and infimating that this desire arose from other than proper sources. For my own part I am fee to say that I am satisfied that role Court has jurisdiction in the matter and the power to inflict the hignest penalty fixed by iaw. Yet as this seems to be doubted by some, and there never having been a case where the question has been passed upon by the highest Courts. I think it a good one to test the law upon the subject, and it is for this reason that I think it. isw upon the subject, and it is for this reason that I think it uid be well to proceed with the trial of the case in this

Justice Brennan said he would have agreed with Justice Os-

Penticentery & months. Dolls Farrent stealing two sharing Penticentery Smonths. Michal Forrester, mellotics unlesslief; Penticentiary Smonths. Michal Forrester, mellotics unlesslief; Penticentiary 2 months. William Gautz, assault and battery; remanded. John Gruik, stealing bank bills; judgment somended. William Buriey, assault and battery; fined \$5. Henry John, stealing a pentic at and bandker thief, Penticentiary 3 months. Aun Kennedy, stealing a hast and shawl; Penticentiary 3 months. William Kinney, stealing asws, hammers, &c.; Penticetary 5 months. Dennis Keily, asault and battery; judgment suspended. Mary Maner, keeping disorderly house; judgment suspended. Daniel Manina, indecent exposure of person Penirentiary 6 months. Frederick Morris, stealing cotton batting; Penitentiary 2 months. Eden McClean, stealing silver colus and a shawi; Penitentiary 2 months John Reddy, assault and battery; Penitentiary 2 months. John Riley, assault and battery; remanded. John Smith, atealing and battery; remanded. John Smith, atealing and a stealing and some some samit and battery; remanded. John Smith, stealing and averous; Penitentiary a months. John Ward, assault and battery; remanded. John Smith, stealing and werrous; Penitentiary at months. Sarah Wiley, stealing a piece of brocatelle: Penitentiary 3 months. John Ward, assault and battery; City Prison 30 days. Atter which the Court a journed.

COURT CALENDAR-THIS DAY.
UNITED STATES DISTRICT COURT.-Nos. 108, 109, 99, 71, 72, 78, 74, 75, 76.
SUPREME COURT-CIRCUIT.-PART I.-Nos. 21, six other causes, 441, 431, 1939, 453, 463, 463, 471, 433, 495, 497, 489, 491, 493, 497, Past II. - Nos. 494, 549, 542, 546, 548, a59, 554, 553, 559, 567, 562, 564, 8 187, 183. SUPERIOR COURT.—Nos. 112, 3, 209, 318, 371, 2 5, 182, 267, 291, 326, 33, 80, 321, 273, 362, 223, 223, 314, COMMON PLEAS.—General Term this week.

COMMERCIAL MATTERS.

Saice at the Stock Exchange-Jan. 22.

water at the place	EXCHARGE JAN.
1,000 Virginia fe 961	100 N. Y. Central R. R 53 841
2.000 do 561	560 40
25, 00 Missouri State 6s 361	500 do
2.000 Cal. State 7a New Ba. 18	[100] do
1, we N. Y. Cent RR. 7s. 1021	200 do
1,000 Erie ER. Con. Bs. '71 43'	1100 do
2 (10 Harlem RR 1st Mtg. 92)	
2.000 Mich Cent.R & Spet.	575 Erie R. R 14
1st M. S. F. Convt. Bs. 96	160 do
1.600 Mich So. 2d Mt. Ba. 654	
1,000 Gosten Branch Bs., 78	
S & o Illinois Cant RR Ra 19	155 Hadson River R d 34
1 000 la C & Mu L C Ra 900	400 Reading Railroad #3 49
	11(0 dobn w 49)
let Mtg. Borde 881	1370 40
10 National Bank 100	
192 Bank of Commerce 164	
	100 Panama Railroad 116
	100 Climois Central R R c 68
10 Continental Bank 100]	50 40 684
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Ses Dela & Hud. Canal Co. 9%	
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58.000.0	NOAND.
1 000 Kentucky State Se 100	(200 Harlem RR
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Are Land Grt. Eds., 22	100 do
3,000 ¢0 212	33 Stonington & R 63
5,000 60	150 Panama Rathroad
jee Parific M's M'p Co. #60 86	100 4 40 160 116
50 Del & Hud C'L Co 130 955	100 do
100 Ponn. Coal Co 85	50 III. Central RR 10 64
100 Printer to Die T. D. S.	Se III. Central Bassessin 672
100 Chicago a R.L. I. R. R. 60	100 do
150 N. Y. Central R. R Set	35 Cleve. & Fittle R. R 91
150 Pt. I. Contracto B. Berry, Bell	THE ORIGINAL COSC. R. R 71
500 40	50 00 7%
200 40	150 do
	100 do
*1,(0) do	32 New-Jersey Cour. R. R. 85

SATURDAY, Jan. 22-P. M. With the exception of a few leading stocks, there was but a moderate business done at the morning Board. Prices, however, with some help from a prom inent operator, were generally sustained at about Fri-day's closing rates. The incubes of a threatened European war had some effect in adding ducloss to the market, and the continued indifference of the publie to the movements in the Stock Market a siste the bears in checking any disposition to advance which the market might ofherwise exhibit under the gradual but steady improvement of commercial and financial matters throughout the country. Between Boards the foreign news was received, and interpreted unfavorably. At the Second Board, however, after the details were known, there was a firmer feeling, which continued up to the closing transactions of the street, the shorts should That on or about January 6, 1885, the defendant Being Scool That on or about January 6, 1885, the defendant Being in considerable amounts of stock. The dispersion of the same time assemble and also the coverages set forth in the complaint.

The Exchange Fire Insurance Company has declared assemble and dividend of 6 % cent, payable Feb. 1.

The Exchange Fire Insurance Company has declared that the same time assemble and dividend of 6 % cent, payable Feb. 1.

The Greenwich Insurance Company has declared to the delivering to Being transaction, the description of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stock. The dispersion of the street, the shorts taking in considerable amounts of stocks. The dispersion of the stocks taking in con to the closing transactions of the street, the shorts

with free supplies of cash stock it fell off to 85%, clositg at 86. At and after the Second Board there were some new orders on the market, and the quotation ran up to 87; bid, with no disposition to put out short stock. We now hear that norwithstanding the desials which have been made, there has been some bad feeling batw-en Mr. Vanderbilt and the Pacific Mail Company, growing out of the retention by the Company of one half the monthly subsidy as a sort of guarantee for good faith, and that this policy is now shandoned by vote of the Board and the entente cordiale restored. It is added that the business of the route requires greater facilities and that the Commodore's boats will be used for the purpose of making that weekly connection with the Paritie which will doubtless be required by the Postmaster-General in awarding the new mail contract. Whatever the solution of this Pacific mail problem, which has vexed the street for the last two months, may be, it is certain that something has brought in buyers to-day, who have put up the market nearly 2 P cent. New-York Central opened at 84%, but during the day, cash stock being scarce, it advanced to 85. About 2,000 charer, it is understood, were taken out of the street today, temperarily, which caused some difficulty in making deliveries. Erie was firm, but not active, at 141-2141. The negotiations for the progress of the work upon the Tunnel and Long Dock have not been completed, but are in very favorable shape, and the managers anticipate that cars will run through Bergen Hill within ten months. The value of this Long Dock improvement to the Eric Road can scarcely overestimated. The net earnings of this road for December, as we stated some days, are officially announced as showing a decline of \$85,000. Hudson River sold at 34 The January receipts thus far are about the same as for January 1858, but the settlements with other roads will give January, 1859, some \$10,000 advantage. Reading continues to be heavy, selling down to 491 and closing at 497 bid. The Philadelphians are believed to be sellers. Too Westerns were generally firmer. Michigan Cestral was rather scarce, and closed firm at 524 bid. Galena and Rock Island were without important change from Fri-day, but on the whole firmer. Illinois Central opened at 68, but after the foreign news was received, it advanced to 684. The result of the meetings of hareholders in London was considered confirmatory of the statements that the English interest will furnish all the money needed to carry the concern through 1859. In State and Railroad Bonds there is but little dong: but the market is firm, excepting for La Crosse Land Grant Bonds, which fell off to 214. The Eric and Harlem securities are very firm. The closug prices were: Missouri 6s, 861 #861; Virginia 6s, 961 a 97; Canton Company, 191 a 20; Pennsylvania Coal Company, 85 2854; New-York Central Radroad, 84, 285; Eric Radroad, 14; 2144; Harlem Radroad Preferred, 40 a 41; Hudson River Radroni, 31 a 341; Reading Railroad, 497 @ 491; Michigan Central Railroad, 521 2521; Michigan Southern and Northern Indiana Railroad, 201 @ 201; Michigan Southern and Northern Inciana Railroad Preferred, 46; 247; Panama Reilroad, 116@1161: Illinois Central Railroad, 681@ 68]: Galens and Chicago Railroad, 71@71]; Cieveland and Toledo Railroad, 314 #314; Chicago and Rock Island Railroad, 60 2 604; Illinois Central 7 & cent Bonds, 1875, 881 #89; Pacific Mail Steamship Company, 87 | 288. In Exchange there is nothing of importance doing.

The market for the steamer closed with firmness.

Freights are quiet. To Liverpool, 500 bbls. Spirits at 5s.; 600 bbls. Rosin per steamer at 2s. 3d.; 25 boxes Bacon at 17s. 6d. To London, 100 tes. Navy Beef at 5s. 9d.; 200 bbls. do. at 4s. 3d.; 50 casks Rice at 25s. A vessel of 100,000 feet capacity with Lumber from the South to Windward Islands at \$11. A vessel of 180 tuns out to and home from Porto Rico with Sugar at 40c., and Molasses ar \$3. A vessel of 160 suns to the West Indies for \$1,500, port charges paid. A

vesrel of 100 tuns to San Juan and back for \$800. The business of the Sub-Treasury was: Receipts, \$279,251 16-for Customs, \$117,000: Payments, \$215,-583 78; Balance, \$4,851,665 93. The receipts for duties have been quite heavy during the week, and the balance shows an increase of over \$500,000 during the

week. The deposits at the Sub Treasury on account of bids for the new loan reach \$127,500 indicating an aggregate of bids of \$12,750,000. The deposits in August last, when the previous ten millions was offered, reached \$185,000, giving an aggregate bid of \$18,500,000. That loan was taken at an average premium of 4,907 *

P cent premium. Many of the bidders have taken the

road Company for the 2d week is January, 1859, were:

We annex a comparative statement of the Imports of Foreign Bry Goods at New-York for the week and since Jan. 1: For the West. 1857, 1858, 1859, 25 february 2 february

| Manual of Phys. Value | Manual of Phys. Value | Wash of Phys. Value | Manual of Phys. Value | Wash of Phys.

We arnex a comparative statement of the Imports of Foreign Dry Goods and General Merchandire for the week and since Jan. 1:

Total for the week... \$3,545,652 \$1,345,960 \$6,246,859 Previously reported... 7,563,549 3,744,684 5,603,649 Since Jan. 1......... \$11,102,211 \$5,085,644 \$11,847 918

P cent. The St. Nicholas Bank 31, payable on the 14th of February.

The expert of specie for the week ending this day The experient speece for the week county
was as follows:
Bark N. H. Gaston, Barbadoea, U. S. gold colu...
Saily Jacob Bed, Hong Kong, copper colu...
Stamer a for Liverpool, gold ben...
Steamer Africa, Liverpool, gold ben...
Schooner W. B. Hotsey, Jaconel, U. S. gold coin...

Total for 1859 The following table will compare the exports of the seven principal staple articles for the week: Week ending Jan. 20. Amount. Cetton, balos. 2, 763 Flour, bbls. 42, 331 Corn Meal, bbls. 1,946 Whest bush. 28 F22 Corn, bash. 37,445 Beef, bbls. and tes. 1,441 Pork, bbls. and tes. 2,481

Total..... \$497,451 The following is a comparative statement of the

value of exports from the commencement of the year 1858.
Cotton 523,742
Finur 591,621
Corn Meal 13,89
Wheat 116,984
Corn 67,129 6.097 18,325 Total..... \$968,943 \$680,158 # 457, M21 8.50,219

The Committee of the Ohio Legislature appointed to avestigate the Breslin defalcation and the cases of the Orio Life and Trust Co. and the Canal Bank of Cleveland, are nearly ready to report. One of the Committee is new in Canada, in communication with Mr. Breslin, who, it is not improbable, may be induced to reture to Obic. The investigation in all the above cases has been very thorough, and in the Breelin case, it is understood, will implieste some lesding citizens of

The authracite coal trade, thus far the present see son, as compared with the corresponding time last year, shows an increase of tunnage by the Reading Railroad of 36 613 tuns; by the Labigh Valley Railroad of 11 308 tups; by the Broad Top of 4,673 tane, and by the Scranton of 308 tuns, making an aggregate thus far, by the four sources named, of 52 286 The business of the Reading Railroad for the woel ending on Thursday last was 20,481 tuns.

The circular of Mr. Satterthwaite, by the Europa,

Since our last, there has been a fair demand for American Securities, the buying being principally for investment, and the hest class of Securities taken, viz. United States 6 P cent and 5 P cent and

Markets-Carryully Exported for The N Y. Talbuma SATURDAY, Jan. 32, 1839. ASHES-The market is quiet for Pota at \$5 75; Pearls and

ASHES—The market is quiet for Pots at \$5 75; Poaris are nominal.

FLOUR AND MFAL—The inquiry for Western Canal Plous is more active, the trade are buying more freely, and at the close there was a brisk apeculative demand and moderate arrivals; the better grades are now attracting attention, and are in speculative request, with few cellers at the class; the sales are 15 700 bils, at \$5.75 \$50 for supering fatention, and are in speculative request, with few cellers at the class; the sales are 15 700 bils, at \$5.75 \$50 for supering fatention, and are in speculative request, with few cellers at the class; the sales are 15 700 bils, at \$4.00 \$50 for supering fatention, and are in speculative request. The sales are 15 700 for fatence for Worten extra: \$6.76 \$6.20 for ahipping brands of Roundhoop extra Ohio; \$6.20 \$7.20 for trade brands do.1 \$6.25 \$7.20 for catra. Genesse, and \$6.20 \$7.20 for trade brands do.1 \$6.25 \$7.20 for catra. Genesse, and \$6.20 \$7.20 for trade brands do.1 higher; small seles at \$6.20 \$9.20 for southern Flour is in active demand and is better, with no sellers at the close at our quotation; the sales are 4.00 bils, at \$5.50 \$9.50 for supering sales of 150 bils. at \$8.40 \$9.20 for supering sales of 150 bils. at \$8.40 \$9.20 for class at \$9.50 \$9.50 for supering sales of 150 bils. at \$9.20 \$1.20 for class at \$9.20 \$1.20 bils. at \$1.20 \$1.20 for regularity is active; the sales are 4.00 bils. at \$1.20 \$1.20 for regularity is active; the sales are 4.00 bils. at \$1.20 \$1.20 for regularity is active; the sales are 4.00 bils. at \$1.20 \$1.20 for regularity is active; the sales included at the sales are 1.000 bils. half for 16th of February and balf on the let of March at \$1.20 \$1.20 for new Mess. \$19.20 \$25.

PROVISIONS—The demand for Pork on the spot is moderate, and pictors are 4.000 bils. at \$1.20 \$1.20 bils. half for 16th of February and balf on the let of March at \$1.20 bils. half for 16th of February and balf on the let of March at \$1.20 for new Mess. \$19.20 \$1.20 bils. Mess for the Spring months at

At 105 2107.3. \$26,000
At 105 2105. 4.850,000
At 104.14 2105. 4.850,000
At 104.15 2 2000
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At

Proportion of the loan will be awarded at between 2 93 of the cort pre-minim. Many of the bidders have taken the ground in bidding that they only want the loan at a low figure, consequently many bids are at part to \$\frac{1}{2}\$ exert for each; \$\frac{1}{2}\$ of the cort pre-minim, put in with no expectation that they will be accepted. One or two parties were endeavoring to make up a combination tender for the whole loan, but the result we did not learn. It is probable that Meesrs. Riggs & Co. will make a bid for thamselves and associates for the ten millions, making the 1 \$\frac{1}{2}\$ cent deposit at Washington.

The earnings of the Eric Railroad for the month of December, 1855, ever.

\$\frac{1}{2}\$ 25 and 250 bits, \$\frac{1}{2}\$ 250 \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

Olds-Lived has been all (cool bit sims at \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

Olds-Lived has been all (cool bits, sales of 4.00 bits. \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

Olds-Lived has been all (cool bits, sales of 4.00 bits. \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

Olds-Lived has been all (cool bits, sales of 4.00 bits. \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

Olds-Lived has been all (cool bits, sales of 4.00 bits, ask bein extibilished, axies in New Section of 1.00 bits. \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

Olds-Lived has been all (cool bits, sales of 4.00 bits. \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

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Olds-Lived has been all (cool bits, sales of 4.00 bits. \$\frac{1}{2}\$ 25 \$\frac{1}{2}\$ bit in yard.

WHISKY-Toe market is inactive; sales small; buyers offer COTTON-The market is firm; sales of 4,000 bales. We re-

COFFEE. The demand is moderate and prices are firm; the said are fourmortant.

SUGAFS—A fair demand prevails; sales of 900 bbds., mostly
New Orleans, at 71/284c., and 25 bbds. Melado at 3ic. Refined
are steady. By auction, 26 bbds. New Orleans at 71/284.

MOLASSES—New Orleans is steady; sales of 35c bbls. at 42s.
Foreign is outer.

Foreign is quiet.

R'CE is turor, sales of 500 tox. at 31/304c.

SFICES. We notice a movement in Pepper, partly speculative; sales of 1,000 bags, per Oak, in store, and 5,500 bags, per John Patten, affeat, on private terms—now held at 10a and over; also, 500 bags in 10% at 91c.; also 30 cases Nutnesses at 57c.

FEAS—A fair trade is doing in new crop; an auxition sale is ampounced for Munday.

LEATHER—The sales exceed the receipts; prices of both Hemlock and Oak are steady.

Marketa......Reported by Telegraph.

Nrw-Orleans, Jan 21—The sales of Corron to day.
2,000 bases at ligh for Middling, the rainy weather blocks ness; sales of the week, 36,000 in same week last year. Expenses 2,000 bits and week last year. Expenses for being sparts 41,000 in same week last year. makin total exports hence to date, 71,500 balos; increased receipt this pert compared with lest year, 341,000 balos; access the ports, 223,500 bales; stock uncleared, 47,500 balos. Expenses the ports, 223,500 bales; stock uncleared, 47,500 balos. Expenses the ports, 223,500 balos of 1,000 balos at 350. Balos is 350. Balos is 150. Curs 62016; Corrun firm—prime Rio, 116; sales of the 11,500 bags; receipts, 4,700 bags; stock, 13,000 bags as 69,500 at same time last year.